

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KURT A. BENSHOOF and BRIANA D.
GAGE,

Plaintiffs,

v.

CITY OF SHORELINE; KING COUNTY;
TOWN & COUNTRY MARKETS; EVAN
B. FAGAN; WILLIAM C. AKERS; and
MR. THOMPSON,

Defendants.

CASE NO. 2:24-cv-00343-TL

ORDER ON DEFENDANTS'
MOTION TO REVOKE
PLAINTIFFS' IN FORMA PAUPERIS
STATUS

This matter is before the Court on King County Defendants' Motion to Revoke Plaintiffs' In Forma Pauperis Status. Dkt. No. 29. Having reviewed the motion and the relevant record, the Court DENIES the motion.

Defendants argue that "inconsistencies and omissions in [Plaintiff Kurt] Benshoof's IFP applications should lead this Court to conclude that he has failed to show he is unable to pay court fees." Dkt. No. 29 at 7. However, after a thorough review and collection of additional

1 information from Plaintiff, the Honorable S. Kate Vaughan, United States Magistrate Judge,
2 granted IFP status, and this Court sees no reason to upset that conclusion. *See* Dkt. No. 13.
3 Defendants also argue that “this lawsuit is simply another in a long line of frivolous and
4 obviously malicious lawsuits.” Dkt. No. 29 at 7; *see also id.* at 7–11. However, this argument is
5 essentially an argument to dismiss the case. Defendants may present these arguments in a proper
6 motion to dismiss, as Defendants Fagan and Town & Country have done. *See* Dkt. No. 43.

7 Accordingly, Defendants’ motion is DENIED.

8 Dated this 23rd day of July 2024.

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Tana Lin
United States District Judge